

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: U.S. Patent No. 6,403,567
Issued: June 11, 2002
Application No.: 09/338,185
Filed: June 22, 1999
Inventors: Jeff A. Zablocki, et al.
Assignee: CV Therapeutics, Inc.
For: N-PYRAZOLE A2A ADENOSINE
RECEPTOR AGONISTS

CERTIFICATE OF ELECTRONIC SUBMISSION

I hereby certify that this paper is being electronically transmitted to the United States Patent and Trademark Office, Alexandria, Virginia via EFS-Web on the date below:

Christa Carter

(Printed Name)

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5/3/11

(Date of Transmission)

RESPONSE TO NOTICE OF FINAL DETERMINATION

AND REQUIREMENT FOR ELECTION

Mail Stop Hatch-Waxman PTE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Notice of Final Determination and Requirement for Election dated April 4, 2011, concerning the above-referenced patent. The Office stated that a single request for reconsideration of this final determination may be filed within one month of the date of the Notice, i.e., May 4, 2011. As such, this Response is timely filed before its due date of May 4, 2011.

The Notice correctly pointed out that Applicants also applied for patent term extension of U.S. Patent 6,642,210. Applicants hereby elect to extend the above-noted patent, U.S. Patent No. 6,403,567, for a period of 1,024 days. Applicants have withdrawn, in a separate application filed on evendate herewith, the application for patent term extension of U.S.

Patent 6,642,210. Applicants hereby further request that the Director issue a certificate of extension for a period of 1,024 days of U.S. Patent 6,403,567.

As a final note, in the Notice, the Office stated that the original expiration date of U.S. Patent 6,403,567 is June 21, 2019. However, the original expiration date of U.S. Patent 6,403,567 is **June 22, 2019** according to 35 U.S.C. § 154. The patent application that matured into U.S. Patent 6,403,567, U.S. Serial No. 09/338,185, was filed on **June 22, 1999** and therefore the patent granted from that application will expire 20 years from the filing date, or 20 years from June 22, 1999, or **June 22, 2019**. Applicants would appreciate correction of the original expiration date prior to publication in the Official Gazette.

The Office is invited to contact the undersigned by telephone with any questions.

Respectfully submitted,

Date 4/29/2011

By 

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